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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,870	01/21/2002	Michael Saucier	1895-010	9212

758 7590 03/24/2006

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EXAMINER

OUELLETTE, JONATHAN P

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 03/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



## DETAILED ACTION

### *Election/Restrictions*

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-82 and 84, drawn to the selection of a manufacturing organization by a product brand manager, classified in class 705, subclass 1.
  - II. Claims 83 and 85, drawn to the selection of a product brand manager by a manufacturing organization, classified in class 705, subclass 1.
2. The inventions are distinct, each from the other because of the following reasons:
3. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention I has separate utility such as facilitating the selection of a manufacturing organization (from a plurality of manufacturing organizations) by a product brand manager. In the instant case, invention II has separate utility such as facilitating the selection of a product brand manager (from a plurality of product brand managers) by a manufacturing organization. See MPEP § 806.05(d).
4. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.
5. Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and listing of all claims readable

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thereon, including any claims subsequently added. An argument that a claim is allowable or that claims are generic is considered nonresponsive unless accompanied by an election.

6. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

### *Conclusion*

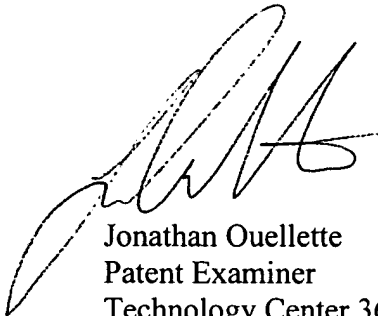
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
8. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
9. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

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March 16, 2006

A handwritten signature in black ink, appearing to read 'Jonathan Ouellette', is written over a horizontal line.

Jonathan Ouellette  
Patent Examiner  
Technology Center 3600